

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )  
 )  
 v. ) CRIMINAL NO. 04-10075-PBS  
 )  
 MIGUEL IBARRA )

MOTION TO WITHDRAW NOTICE OF APPEAL

Defendant, Miguel Ibarra, hereby moves this Court allow him to withdraw the previously filed Notice of Appeal.

In support of this motion, defendant states that he will not pursue the appeal, and that this decision has come before the case was docketed in the United States Court of Appeals for the First Circuit. As further support of this motion, defendant incorporates the attached affidavit of Miguel Ibarra.

MIGUEL IBARRA  
By his attorney,

/s/Catherine K. Byrne  
Catherine K. Byrne  
B.B.O. #543838  
Federal Defender Office  
408 Atlantic Avenue, 3rd Floor  
Boston, MA 02110  
Tel: 617-223-8061